

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

-against-

19-cr-536 (PKC)

ORDER

JORGE MIRANDA-SANG,
Defendant.

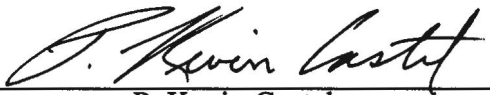
-----X
CASTEL, U.S.D.J.:

On November 29, 2022, this Court sentenced defendant Miranda-Sang principally to a term of 240 months' imprisonment. (Minute Entry, ECF 365.) On January 10, 2024, defendant moved for a sentence reduction under 18 U.S.C. § 3582(c), pursuant to Amendment 821. (ECF 507.) At the time, the United States Probation Department issued a report indicating that defendant was not eligible for a sentence reduction. In an Order dated April 15, 2024, the Court denied defendant's motion. (ECF 539.)

On July 23, 2024, defendant renewed his application for a sentence reduction pursuant to Amendment 821. (ECF 568.) As explained in the April 15 Order, applying Amendment 821 reduces the defendant to 4 criminal history points. (ECF 539 at 2.) This puts defendant in Criminal History Category ("CHC") III, the CHC he was at the time of sentencing. (Id.) As Amendment 821 does not change his Guidelines range, defendant is ineligible for a sentence reduction under § 3582(c). United States v. King, 813 F. App'x 690, 692 (2d Cir. 2020) (holding that a sentencing court cannot reduce a defendant's sentence if a retroactive amendment does not have the effect of lowering the defendant's applicable guideline range).

It is hereby ORDERED that the defendant is ineligible for a sentence reduction under Amendment 821 and the motion (ECF 568) is DENIED.

SO ORDERED.


P. Kevin Castel
United States District Judge

Dated: May 6, 2025
New York, New York

COPY MAILED TO:

Jorge Miranda-Sang
No. 32665-069
FCI Fort Dix
P.O. Box 2000
Joint Base MDL, NJ 08640